IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE D.APPA RAO

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WRIT PETITION No.11390 OF 2006

Between:

T.Mallaiah, S/o.Rajaiah,

Owner of the Tractor,

R.Kasipet Village,

Dandepalli Mandal,

Adilabad District.

..... PETITIONER

AND

The Regional Transport Officer,

Adilabad, and another.

....RESPONDENTS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

D.APPA RAO

WRIT PETITION No.11390 OF 2006

O R D E R

(Per Sri Justice J.Chelameswar)

The petitioner is a owner of the Tractor bearing No.AP 1U 2025. It appears that the respondents seized the said vehicle on 07.02.2006 while the vehicle was proceeding from Mancheryal to R.Kasipet village, Dandepalli Mandal, Adilabad District. The 2nd respondent recorded in his proceedings at the time of seizure found that the vehicle is plying without proof of the payment of tax, without fitness certificate, without insurance coverage, without permit etc. Thereafter, the petitioner claims to have approached the 1st respondent seeking release of the vehicle and the 1st respondent declined to release the vehicle, as the enquiry into the matter is pending. Hence, the present writ petition.

The petitioner claims that the above-mentioned Tractor is being plied and it is only the source of his livelihood.

In the circumstances, we deem it appropriate to dispose of the writ petition at the admission stage itself after hearing the learned Government Pleader for Transport and therefore, we are of the opinion that the ends of justice would be met in this case by directing the respondents to complete the enquiry expeditiously, preferably within a period of two weeks from the date of receipt of a copy of this order and on completion of the said enquiry, pass appropriate orders in accordance with law and release the vehicle on condition that the petitioner complies with such a final order to be passed after enquiry.

The writ petition is accordingly disposed of at the stage of admission.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

9TH JUNE, 2006

Note: Issue C.C. by Monday.

(B/O) PGS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

D.APPA RAO

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WRIT PETITION No.11390 OF 2006

(Per Sri Justice J.Chelameswar)

9TH JUNE, 2006